

JUL 08 2005



smith & hopen, p.a.

15950 Bay Vista Drive, Suite 220
Clearwater, Florida 33760
727.507.8558 Tel
727.507.8668 Fax
www.baypatents.com

Fax

INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Molly L. Sauter
Attn:	Brian Whiteman - Art Unit 1635	Client:	1372.48.PRC
Fax:	(703) 872-9306	Pages:	12 including coversheet
Phone:	(571) 272-0764	Date:	July 8, 2005
Re:	USPN: 10/064,512	CC:	University of South Florida

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Dear Examiner Dawson:

In response to the final office action mailed May 11, 2005, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated July 8, 2005 (2 pages); and
- 2) Amendment AF with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated July 8, 2005 (10 pages).

Very respectfully,

Molly L. Sauter
Reg. No. 48,457

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

RECEIVED
CENTRAL FAX CENTERIN THE UNITED STATES PATENT AND TRADEMARK OFFICE JUL 08 2005

Application No. : 10/064,521 Confirmation No.: 6625
Applicant: : Loree Heller et al.
Filed: : 07/23/2002
Art Unit : 1635
Examiner : Brian A. Whiteman

Docket No. : 1372.48.PRC
Customer No. : 21,901
For : Method of Enhancing Therapeutic Effects of Nucleic Acids

Faxed to Technology Center 1600 at (703) 872-9306.
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is an independent inventor. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8 (a))

I HEREBY CERTIFY that this Amendment AF, including Introductory Comments, Amendments to the Claims, and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 1635, Attn: Brian A. Whiteman, (703) 872-9306 on July 8, 2005.

Dated: July 8, 2005


Shelley Butz

(Amendment Transmittal—page 1)

JUL 08 2005

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)			(Col. 2)	(Col. 3) SMALL ENTITY	
Claims Remaining After Amendment			Highest No. Previously Paid For	Present Extra	Addit. Fee
Total	8	Minus	29	= 0	x \$25 = \$0
Indep.	1	Minus	4	= 0	x \$100 = \$0
First Presentation of Multiple Dependent Claim				+ \$180 =	\$0
				Total Addit. Fee	\$0

- If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
- *** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

Very respectfully,



SIGNATURE OF PRACTITIONER

Reg. No. 46,457
Tel. No.: (727) 507-8558

Molly L. Sauter
Smith & Hopen, P.A.
15950 Bay Vista Drive, Ste. 220
Clearwater, FL 33760

(Amendment Transmittal—page 2)

RECEIVED
CENTRAL FAX CENTER

Practitioner's Docket No.: 1372.48.PRC

JUL 08 2005

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Loree Heller, et al.

Serial No.: 10/064,512

Filing Date: 07/23/2002

For: Method of Enhancing Therapeutic Effect of
Nucleic AcidsExaminer: Whiteman, Brian
A.

Art Unit: 1635

Faxed to Technology Center 1600 at (703) 872-9306
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Examiner's Action mailed on May 11, 2005, having a shortened statutory period for reply set to expire on August 11, 2005, the above-identified patent application is amended a second as follows. Applicant has elected to present the amendment using the revised amendment format set forth in the waiver of 37 CFR 1.121.

AMENDMENT AF

(37 C.F.R. § 1.111)